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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

France and Germany: draft resolution

Situation of human rights in Togo

The Commission on Human Rights,

Guided by the principles embodied in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that under Articles 55 and 56 of the Charter of the United Nations, all States Members of the Organization have an obligation to promote and protect human rights and fundamental freedoms and to cooperate for that purpose,

Concerned about the situation of human rights in Togo before the electoral process,

Welcoming, however, efforts undertaken towards democratization, especially the holding, in generally satisfactory conditions, of parliamentary elections on 6 and 20 February 1994 which constitute an essential element towards a democratic change in Togo,

Concerned by the fact that certain groups have resorted to violent actions and the use of arms, thus causing numerous victims, with the intention of preventing the holding of the elections,

Having examined the report of the Special Rapporteur on the question of torture (E/CN.4/1994/31) and the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/1994/7),

1. Takes note with interest of the report of the Secretary-General on the situation of human rights in Togo (E/CN.4/1994/59);

2. Welcomes the fact that Togo has set out on the road to democratic political change, and urges all Togolese to respect the outcome of the parliamentary elections held in February 1994 and to ensure the effective functioning of the democratically elected parliament;

3. Expresses the hope that a comprehensive improvement of the human rights situation in Togo will lead to a lasting reinforcement of democracy, thus reflecting the aspirations of its citizens;

4. Calls upon the authorities in Togo to comply fully with their obligations under the international human rights instruments to which Togo is a party;

5. Also calls upon the authorities in Togo to promote national reconciliation, in particular by taking all necessary measures:

(a) To ensure the enjoyment of all human rights and fundamental freedoms by all;

(b) To prevent further human rights violations;

(c) To guarantee that appropriate legal action is taken against alleged perpetrators of human rights violations;

6. Encourages the authorities in Togo to facilitate the participation of the organs of society, including national institutions working for the promotion and protection of human rights, in the process of democratization;

7. Also encourages the Government of Togo to present timely reports to the treaty bodies established by the International Covenants to which Togo is a party;

8. Further encourages the Government of Togo to request, where appropriate, the assistance of the Centre for Human Rights through its programme of advisory services and technical assistance in the implementation of the measures mentioned in paragraphs 5 and 7 of the present resolution;

9. Requests the Secretary-General:

(a) To bring the present resolution to the attention of the Togolese authorities and to request them to indicate, as soon as possible, the action taken in pursuance of paragraphs 5 and 7;

(b) To report to the Commission, at its fifty-first session, on the basis of the information provided by the Government of Togo, as well as any other information, on the measures taken by the Togolese authorities in pursuance of paragraphs 5, 7 and 8;

10. Decides to consider the question at its fifty-first session under the agenda item "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories", with a view to concluding it, in the light of the requested report by the Secretary-General.